

TODD W. SHORT, )  
)  
Plaintiff, )  
)  
vs. ) ORDER  
)  
STATE OF NORTH CAROLINA, et al., )  
)  
Defendant. )  
\_\_\_\_\_ )

After an independent and thorough review of the magistrate's memorandum, Plaintiff's objections thereto, Defendants' responses to the objections, and a de novo review of the record, the Court concludes that the recommendation to grant the Motions to Dismiss is correct and in accordance with law. Accordingly, the findings and conclusions of the magistrate are accepted, and the Court hereby GRANTS the following motions:

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3. Defendant Marianne Redmond's "Motion to Dismiss Pursuant to Rule 4(M) of the Federal Rules of Civil Procedure" (document #147) filed August 28, 2015;
4. Defendant F. Lachicotte Zemp, Jr.'s "Motion to Dismiss Pursuant to Rule 4(M) of the Federal Rules of Civil Procedure" (document #150) filed August 28, 2015;
5. "Motions [to Dismiss] of Steven Kropelnicki and Carter & Kropelnicki, P.A." (document #160) filed September 2, 2015;
6. "Defendant Ace American Insurance Company's Motion to Dismiss" (document #176) filed September 7, 2015;
7. "Defendant Great American Insurance Company's Motion to Dismiss the Complaint" (document #177) filed September 8, 2015;
8. "Defendant Roberts & Stevens, P.A.'s Motion to Dismiss for Failure to State a Claim" (document #183) filed September 11, 2015;
9. "Motion of Defendant Jennifer B. Formichella to Dismiss Pursuant to Rule 4(m) of the FRCP" (document #199) filed September 15, 2015;
10. "Motion to Dismiss by Defendant John Bramlett" (document #206) filed September 18, 2015;
11. "Motion To Dismiss Pursuant To 12(b)(6)" by Defendant Buncombe County, North Carolina (document #211) filed September 18, 2015;
12. "Motion to Dismiss on Behalf of Defendant William E. Loose Fed. R. Civ. P. 12(b)(1), (5) and (6) and Motion to Strike Fed. R. Civ. P. 12(f)" (document #218) filed September 30, 2015;
13. Defendants Sandra Layton, Blair Clark and Parkway Behavioral Health, LLC's "Motion to Dismiss" (document #220) filed October 6, 2015;

14. Defendant Arthur Carder's "Motion to Dismiss" (document #224) filed October 6, 2015;

15. Defendants Elizabeth A. Martineau, Guiselle F. Mahon and Martineau King, PLLC's "Motion to Dismiss" (document #228) filed October 8, 2015;

16. "Motion to Dismiss on Behalf of Defendant North Carolina Department of Health and Human Services (Fed. R. Civ. P. 12(b)(1), (2) and (6))" (document #230) filed October 8, 2015;

17. Defendant Smoky Mountain LME/MCO's "Motion to Dismiss" (document #232) filed October 8, 2015;

18. "Motion to Dismiss by Defendants Cheryl A. Dommer and Scottsdale Insurance Company" (document #234) filed October 8, 2015; and

19. Defendants State of North Carolina, North Carolina Clerks of Superior Court for the North Carolina Unified Court System, Richard Schumacher, Robert H. Christy, Jr., Edwin D. Clontz, Steven D. Cogburn, Tammy C. Case, and Ann Melton's "Motion to Dismiss" (document #236) filed October 15, 2015.

IT IS FURTHER ORDERED that the Court declines to exercise supplemental jurisdiction over any remaining state claims; and

IT IS FURTHER ORDERED that any remaining appeals and motions are hereby DISMISSED AS MOOT.

Signed: February 22, 2016



Graham C. Mullen  
United States District Judge

